

Debra I. Grassgreen (CA Bar No. 169978)
Miriam Manning (CA Bar No. 178584)
PACHULSKI STANG ZIEHL & JONES LLP
150 California Street, 15th Floor
San Francisco, CA 94111
Telephone: (415) 263-7000
Facsimile: (415) 263-7010
E-mail: dgrassgreen@pszjlaw.com
mmanning@pszjlaw.com

Attorneys for Defendant
Uber Technologies, Inc.

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

In re:

WAYMO LLC,

Plaintiff,

v.

UBER TECHNOLOGIES, INC. AND
OTTOMOTTO LLC,

Defendants.

Case No. 3:17-cv-00939-WHA

**DECLARATION OF DEBRA
GRASSGREEN IN SUPPORT OF
SEVENTH JOINT STIPULATION
AND [PROPOSED] ORDER TO
EXTEND THE DEADLINE UNDER
PARAGRAPH 15 OF THE INTERIM
MODEL PROTECTIVE ORDER**

I, Debra Grassgreen, hereby declare as follows:

1. I am co-counsel to Uber Technologies, Inc. (the “**Defendant**”) in the above entitled action and have personal knowledge of the facts contained in this Declaration, which are true and correct, and if sworn as a witness, I could and would testify competently thereto. I am also bankruptcy counsel to Defendant in the bankruptcy case of *Anthony Levandowski*, Case No. 20-30242 (HLB) pending in the United States Bankruptcy Court for the Northern District of California (the “**Bankruptcy Case**”) and in the adversary proceeding pending in the Bankruptcy Case: *Anthony Levandowski v Uber Technologies, Inc.*, N.D. Cal. Bankr., Adv. Pro. No. 20-03050 (HLB) (the “**Adversary Proceeding**”).

2. I submit this declaration in support of the *Seventh Joint Stipulation and [Proposed] Order to Extend the Deadline Under Paragraph 15 of the Interim Model Protective Order* (the “Stipulation¹”).

3. As set forth in the Stipulation, because the Parties agree that certain material subject to this Court’s Protective Order is relevant to the ongoing Adversary Proceeding, the Parties’ evidence preservation obligations in the Adversary Proceeding conflict with the Parties’ obligations under Paragraph 15 of this Court’s Protective Order.

4. Accordingly, pursuant to the Stipulation, the Parties jointly request that the obligations under Paragraph 15 of the Protective Order be further extended in order to resolve this conflict and maintain the preservation of evidence.

5. This is the seventh amendment to the Protective Order. The previous extensions of time include the following:

- a. On April 6, 2018, the parties filed a stipulation and proposed order extending the deadline to comply with Paragraph 15 until June 11, 2018, citing the pendency of related matters that impose document preservation obligations on the parties that conflict with Paragraph 15’s requirements. The parties further indicated that they “might hereafter request additional time if those obligations have not been satisfied.” Dkt 2670.
- b. The Court approved the stipulation and signed the proposed order on April 9, 2018. Dkt. 2671.
- c. The Parties stipulated to five additional extensions of time in the ensuing months, all of which the Court granted. Dkt. 2673, 2674, 2683, 2684, 2696, 2697, 2698, 2699, 2701, 2702.

6. The requested extension will have no impact on this lawsuit as the parties settled this lawsuit, and a final disposition was entered on February 9, 2018. Dkt 2650, 2651.

¹ Defined terms not otherwise defined herein have the meaning set forth in the Stipulation.

1 I declare under the penalty of perjury that the statements included in this Declaration are true
2 and correct.

3 Executed on this 30th day of September 2020.

4
5 /s/ Debra I. Grassgreen
6 Debra I. Grassgreen
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28